

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FRANCIS CRAIG FARRIS, JR.,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-07-0931-F
)	
RANDALL G. WORKMAN, Warden,)	
)	
Respondent.)	

ORDER

This action seeks habeas relief under 28 U.S.C. § 2254. Petitioner appears *pro se*, and his pleadings are liberally construed.

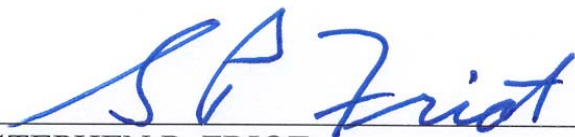
Magistrate Judge Doyle W. Argo entered his Report and Recommendation in this matter on December 21, 2007. (Doc. no. 13.) In that Report, the magistrate judge recommended that respondent's motion to dismiss (doc. no. 10) be granted, and that the petition be dismissed without prejudice to refile unless within twenty days of any order adopting the Report and Recommendation petitioner files an amended petition presenting only his exhausted claims. In light of that recommended disposition, the Report and Recommendation further recommends that petitioner's motion to dismiss (doc. no. 12) be denied as moot. The Report advised petitioner of the right to file an objection to the Report by January 10, 2008. The Report further advised petitioner that failure to make timely objection to the Report waives the right to appellate review of both factual and legal issues contained in the Report. No objection has been filed, and no request for an extension of time has been filed.

After review of the Report, the record, and the relevant authorities, and with there being no objection, the court finds and concludes that it concurs with the

magistrate judge's determinations and that no purpose would be served by repeating those determinations, or any analysis, here.

Accordingly, the Report and Recommendation of Magistrate Judge Doyle W. Argo is **ACCEPTED, ADOPTED, and AFFIRMED** in its entirety. For the reasons stated in the Report, respondent's motion to dismiss is **GRANTED**, and the petition will be dismissed without prejudice to refiling unless within twenty days of the date of this order petitioner files an amended petition presenting only his exhausted claims. Petitioner's motion to dismiss is denied as moot.

Dated this 28th day of January, 2008.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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